

Entered on Docket

May 16, 2011

GLORIA L. FRANKLIN, CLERK
U.S BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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**The following constitutes
the order of the court. Signed May 16, 2011**

Willy Lipp, III

**William J. Lafferty, III
U.S. Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 09-44877 WJL

SIGURD LEOPOLD SZERLIP and
PATRICIA JEAN SZERLIP,

Chapter 13

Debtors.

ORDER VALUING LIENS OF WELLS
FARGO BANK, NA

On April 20, 2011, Sigurd and Patricia Szerlip (hereinafter Debtors) served a motion to value the liens of Wells Fargo Bank, NA (hereinafter Lienholder) against the property commonly known as 682 30th Street, Richmond, CA 94804, which liens were recorded in Contra Costa County on or about June 1, 2005 as document 0196780-00 (hereinafter the Liens).

The court finds that notice of the motion upon Lienholder was proper. Lienholder having failed to file timely opposition to Debtors' motion, the court hereby orders as follows:

(1) For purposes of Debtors' chapter 13 plan only, the Liens are valued at zero, Lienholder does not have a secured claim, and the Liens may not be enforced, pursuant to 11 U.S.C. §§ 506, 1322 (b)(2) and 1327.

(2) This order shall become part of Debtors' confirmed chapter 13 plan.

(3) Upon entry of a discharge in Debtors' chapter 13 case, the Liens shall be voided for all purposes, and upon application by Debtors, the court will enter an appropriate form of judgment voiding the Liens.

7 (4) If Debtors' chapter 13 case is dismissed or converted to one
8 under another chapter before Debtors obtain a discharge, this order
9 shall cease to be effective and the Liens shall be retained to the
10 extent recognized by applicable nonbankruptcy law, and upon
11 application by the Lienholder, the court will enter an appropriate
12 form of order restoring the Liens.

13 (5) Except as provided by separate, subsequent order of this
14 court, the Liens may not be enforced so long as this order remains in
15 effect.

* * * END OF ORDER * *

COURT SERVICE LIST

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